



Agenda Item Number: \_\_\_\_\_

## BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

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**Meeting Date:** October 26, 2004

**Department:** Zoning, Building, and Planning **Staff Contact:** Mari Simbaña, Program Planner

**TITLE:** PUBLIC HEARING: Amendment to the Paseo Del Norte/North Albuquerque Acres Sector Development Plan section SD-LC-1 to be consistent with sections SD-LC-2, SD-RO, SD-HC which refer to commercial use and its area regulations (SPR - 40002)

### COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

Ordinance # \_\_\_\_\_

### SUMMARY:

At the September 1, 2004 public hearing, the County Planning Commission recommended approval (6-0; Montañó excused) of a request to amend the Paseo del Norte/North Albuquerque Acres Sector Development Plan, Section 1.4.4.2 Zoning, SD-LC-1 (Limited Neighborhood Commercial Zone, Site J), D. Area Regulations, 1. Minimum Lot Area, to include text regarding non-residential sites not being able to meet the lot area requirements therefore being able to request for a waiver.

The Paseo del Norte/North Albuquerque Acres Sector Development Plan (Sector Plan) was approved by the Extraterritorial Land Use Authority on February 20, 2001. The Special Development zones established by the Sector Plan allow for limited commercial uses to fit adequately into the rural fabric of the area. These zones focus on commercial activities along the Paseo del Norte corridor. Each zone follows specified area regulations.

Specifically, the request is to add the sentence, "If it is not possible to meet site size requirements because prior development or an existing Conditional Use Permit or Special Use Permit blocks assembly, the Planning Director shall waive this requirement as part of the Site Development Plan approval." to section SD-LC-1, D.1.b. This sentence is found in SD-LC-2, D.1.b.; SD-RO, D.1.b; and SD-HC, D.1.b. but appears to have been accidentally omitted from SD-LC-1, D.1.b.. Due to the size of the lots, under the existing language, commercial activity could not be conducted at this site. This conflicts with the intention of the Sector Plan. An amendment would correct the inconsistency.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (September 3, 2004)
2. County Planning Commission Information Packet

**STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING, AND PLANNING DEPARTMENT:**

Staff recommends approval.